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*Attorneys for Plaintiffs and proposed
collective action and class action members*
**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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**ANTHONY FRATTIN on behalf of himself
and others similarly situated,**

INDEX NO: 07 CV 3383 (PAC)

Plaintiff,

**DECLARATION OF MAIMON
KIRSCHENBAUM**

v.

**WEST 44th STREET RESTAURANT LLC,
d/b/a KELLARI TAVERNA, STAVROS
AKTIPIIS, and HARSHAD SHAH,**

Defendants.

-----X

I, Maimon Kirschenbaum, under penalty of perjury, affirm as follows:

1. I am Plaintiff's counsel in the above captioned matter.

2. On April 27, 2007, I faxed a copy of the original Summons and Complaint in this matter to Kellari Restaurant.

3. On May 16, 2007, Plaintiff's counsel communicated to defense that Plaintiff would request immediate injunctive relief if Defendants did not reinstate Plaintiff before June 1, 2007.

Dated: June 6, 2007



D. Maimon Kirschenbaum